

ENTERED

October 26, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	MAG. JUDGE NO. 2:17-MJ-1079-2
	§	
CESAR AUGUSTO CERVANTES-	§	
MARROQUIN	§	

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

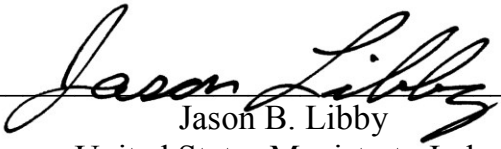
A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). Detention of defendant **CESAR AUGUSTO CERVANTES-MARROQUIN** pending trial in this case is necessary because there is a serious risk that the defendant will not appear.

The evidence against the defendant meets the probable cause standard. The defendant is not a citizen of the United States and does not have status to remain in the United States lawfully. While the defendant maintains he has some unspecified form of status to remain in the United States, no evidence on that matter was presented to the Court. The findings and conclusions contained in the Pretrial Services Report are adopted and the defendant **CESAR AUGUSTO CERVANTES-MARROQUIN** is ordered detained pending trial. However, defense counsel may move to reopen the detention hearing if defense counsel can establish that the defendant does in fact have status which would enable him to reside lawfully in the United States.

The defendant is committed to the custody of the United States Marshal or his

designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 26th day of October, 2017.


Jason B. Libby
United States Magistrate Judge